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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHARON HAMPTON,

Defendant.

2:10-CR-316 JCM (RJJ)

**ORDER**

Presently before the court is the case of *USA v. Hampton* (Case No. 2:10-cr-00316-JCM -GWF-1).

Defendant Sharon Hampton was sentenced on January 1, 2011, to eighteen months custody, to be followed by five (5) years of supervised release. (Doc. #20). Defense counsel Todd M. Leventhal filed a motion seeking to withdraw as counsel of record for the defendant. (Doc. #36). Pursuant to Local Rule 1A 10-6, the court granted Mr. Leventhal's motion to withdraw as counsel (doc. #37).

Prior to the filing of the motion (doc. #36) and the court's order (doc. #37), the government filed a notice of appeal (doc. #29). Since an appeal is pending and the Ninth Circuit Court of Appeals now retains jurisdiction over the matter, this court lacks the authority to permit Mr. Leventhal to withdraw as counsel. 28 U.S.C. 1291.

Accordingly,

...

1 IT IS HEREBY ORDERED ADJUDGED AND DECREED that the court's order granting  
2 Mr. Leventhal's motion to withdraw (doc. #37) be, and the same hereby is, VACATED.

3 IT IS FURTHER ORDERED that Mr. Leventhal file his motion to withdraw as counsel of  
4 record with the Ninth Circuit Court of Appeals.

5 DATED June 13, 2011.

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8 UNITED STATES DISTRICT JUDGE